

PATENT

177
17
01/02/03

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 December 19, 2002.

Deborah A. Peacock, Reg. No. 31,649
Jeffrey D. Myers, Reg. No. 35,964

December 19, 2002
(Date)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Brad Baker : Art Unit: 1761
Serial No.: 10/072,179 : Examiner:
Filed: February 5, 2002 :
For: SODA BOTTLE :
CONFECTIONERY :

RECEIVED
DEC 27 2002
TC 1700

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

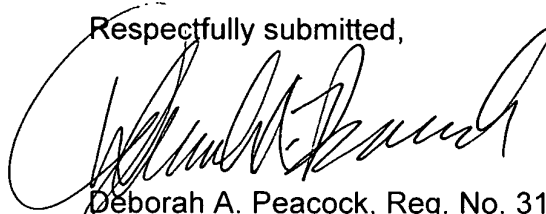
This Information Disclosure Statement is being filed within three months of the filing date of the application or prior to the mailing date of a first Office action. Therefore, no fee or certification is required. 37 C.F.R. § 1.97(b).

The relevance with respect to the following citations listed on Forms PTO/SB/08A (formerly PTO-1449): is submitted on the basis of the accompanying search report that is in the English language that issued on the corresponding PCT patent application.

If any fees are deemed required, authority to charge the fee is given to Deposit Account No. 13-4213.

Respectfully submitted,

Dated: December 19, 2002



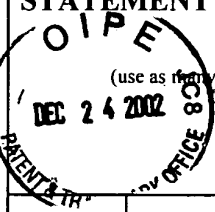
Deborah A. Peacock, Reg. No. 31,649
Direct line: (505) 998-1501

Enclosures: PTO Form 1449;
Copy of References

Peacock, Myers & Adams, P.C.
Attorneys for Applicant
P.O. Box 26927
Albuquerque, NM 87125-6927
(505) 998-1500
FAX (505) 243-2542
Customer No. 005179



Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)  | | | | COMPLETE IF KNOWN | | | |
|---|-----------------------|--|-------------|---|---|--|---|
| | | | | Application Number | 10/072,179 | | |
| | | | | Filing Date | February 5, 2002 | | |
| | | | | First Named Inventor | Brad Baker | | |
| | | | | Group Art Unit | 1761 | | |
| | | | | Examiner Name | | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 30687-CIP2 | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| Examiner Initials | Cite No. ¹ | U.S. Patent Document Kind Code ² Number (if known) | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | |
| | | 1,404,883 | | A.W. Murray | 01/31/1922 | | |
| | | 1,963,050 | | A.H. Graham | 06/12/1934 | | |
| | | 2,018,050 | | B.J.F. Bentley | 10/22/1935 | | |
| | | 2,636,649 | | C.P. Corriveau | 04/28/1953 | | |
| | | 3,355,067 | | M. Espinal | 11/28/1967 | | |
| | | 5,027,986 | | I.C. Heinzl, et al. | 07/02/1991 | | |
| | | 5,370,884 | | T.J. Coleman | 12/06/1994 | | |
| | | 5,993,870 | | M. Hoeting, et al. | 11/30/1999 | | |
| | | 12/12/2000 | | C. Manzone, et al. | 12/12/2000 | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| Examiner Initials | Cite No. ¹ | Foreign Patent Document Office ³ Number ⁴ Code ⁵ (if known) | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
| | | PCT | WO 00/19803 | A2 | Impact Confections, Inc. | 13 Apr 2000 | |
| | | | | | | | |
| Examiner Signature | | | | | Date Considered | | |

 RECEIVED
 DEC 27 2002
 TC 1700

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[G:\ANNETTE\Impact\ImpactConf-1449-179.PTO.doc] 30687-1001

1. Unique citation designation number. 2. See attached Kinds of U.S. Patent Documents. 3. Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). 4. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6. Applicant is to place a check mark here if English language Translation is attached.